# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---|---|---|
| Appln No.: | 10/774,692 | ) |

Confirmation No. 7393

Filed: February 10, 2004 )

Applicant(s): HOWARD et al. )

Title: FREEZER-STABLE TOASTED )
BREAD SLICES )

Art Unit: 1761 )

Examiner: Not yet assigned )

Attorney Docket No.: 77070 )

Customer No.: 22242 )

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

## RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts dated __May 7, 2004__, enclosed are:

☒ A copy of the Notice to File Missing Parts.

☐ An executed Declaration for Patent Application, including Power of Attorney.

☐ _____ sheet(s) of drawings are enclosed. ☐ Formal ☐ Informal

☒ An Assignment of the invention to ___Kraft Foods Holdings, Inc.___, and Recordation Form Cover Sheet - Patents Only - Form PTO-1595.

    ☐ A check in the amount of $_____ to cover the fee for recording the assignment.

    ☒ The Recordation Form Cover Sheet includes authorization to charge $40.00 to our Deposit Account for recording the assignment.

☒ Fee Calculation:

### Fee Calculation For Claims As Filed

    ☐ Provisional Application Basic Fee            $ 160.00 _____

*Missing Parts 1-0903*

Application No. 10/774,692
Response dated August 3, 2004
Notice to File Missing Parts dated May 7, 2004


Surcharge under 37 C.F.R. §1.16(1)                          $  50.00          _____

☒  Non-Provisional Utility Application Basic Fee            $ 770.00     $      770.00

Independent Claims      4   -   3   =   1    x  $   86.00  =  $       86.00

Total Claims           33   -  20   =  13    x  $   18.00  =  $      234.00

Fee for Multiply Dependent Claims                          $ 290.00          _____

Surcharge under 37 C.F.R. §1.16(e)                          $ 130.00     $      130.00

☐  Design Application Basic Fee                             $ 340.00          _____

Surcharge under 37 C.F.R. §1.16(e)                          $ 130.00          _____

                        Total Filing and/or Surcharge Fee   $   1,220.00


☐  Applicant(s) assert entitlement to Small Entity Status
    (37 C.F.R. § 1.27), reducing the Filing/Surcharge Fee by half to:     $        0.00


☐  A check in the amount of $_____ to cover the Filing and/or Surcharge Fee.

☒  Charge $ 1,220.00  to Deposit Account No. 06-1135.

☒  The Director is hereby authorized to charge any additional fees which may be required
   in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any
   overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed
   herewith, the Director is authorized to charge the unpaid amount to Deposit Account
   No. 06-1135. This sheet is filed in triplicate.


   August 3, 2004                        _____
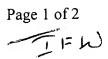        Date                            Joseph E. Shipley
                                        Registration No.        31,137


FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406
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*Missing Parts 2-0903*

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
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www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|---|---|---|---|
| 10/774,692 | 02/10/2004 | Terry Howard | 1410/77070 |

Fitch, Even, Tabin & Flannery
Suite 1600
120 South LaSalle Street
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**CONFIRMATION NO. 7393**
**FORMALITIES LETTER**

*OC000000012562302*

Date Mailed: 05/07/2004

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
  *Applicant must submit $ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.
  *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of $130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **$320** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

## SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **$1220** for a Large Entity

- **$770** Statutory basic filing fee.
- **$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **$320**

  - **$86** for **1** independent claims over 3.
  - **$234** for **13** total claims over 20.

Replies should be mailed to:    Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

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*A copy of this notice __MUST__ be returned with the reply.*

_ROUKM)_

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY